

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 03-910)

PATENT  
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APR 20 2005

In application of:

Brauer, et al.

Serial No.: 10/700,165

Filed: November 3, 2003

For: Headache Rack for Pickup Trucks

**OFFICE OF PETITIONS**

Examiner: Patricia L. Engle

Group Art Unit: 3676

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the Applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies of the references are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

## CITED REFERENCES

### United States Application Publications

1. Felix, U.S. Application Publication No. 2001/050489 A1, published December 13, 2001.

### United States Patents

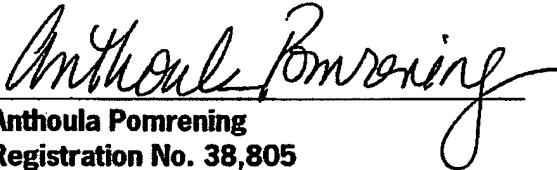
2. Hart, U.S. Patent No. 2,720,414 A, issued October 11, 1955.
3. Ellis, U.S. Patent No. 3,664,704 A, issued May 23, 1972.
4. Jayne, U.S. Patent No. 4,867,497 A, issued September 19, 1989.
5. Deaver et al., U.S. Patent No. 4,973,099 A, issued November 27, 1990.
6. Hendricks, U.S. Patent No. 5,037,152 A, issued August 6, 1991.
7. Berkich, U.S. Patent No. 5,476,301 A, issued December 19, 1995.

Respectfully submitted,

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Date: April 20, 2005

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| Form PTO-1449<br>U.S. Department of Commerce<br>Patent and Trademark Office<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> | Atty. Docket No.<br><br>03-910   | Serial No.<br><br>10/700,165<br><b>RECEIVED</b> |
|   | Applicant: Brauer, et al. <span style="float: right;">APR 20 2005</span><br><b>OFFICE OF PETITIONS</b> |   |
|   | Filing Date: November 3, 2003  | Group: 3676                                     |

### U.S. PATENT APPLICATION PUBLICATION DOCUMENTS

| Examiner Initial | No. | Document Number | Date       | Name  | Class | Subclass | Filing Date |
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|                  |     | 2001/050489 A1  | 12/13/2001 | Felix |       |          |             |

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|                  |     | 4,867,497 A     | 09/19/1989 | Jayne         |       |          |             |
|                  |     | 4,973,099 A     | 11/27/1990 | Deaver et al. |       |          |             |
|                  |     | 5,037,152 A     | 08/06/1991 | Hendricks     |       |          |             |
|                  |     | 5,476,301 A     | 12/19/1995 | Berkich       |       |          |             |

### FOREIGN PATENT DOCUMENTS

| Examiner Initial | No. | Document Number | Date | Country | Class | Subclass | <u>Translation</u><br>Yes No |
|------------------|-----|-----------------|------|---------|-------|----------|------------------------------|
|------------------|-----|-----------------|------|---------|-------|----------|------------------------------|

### OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

| Examiner Initial | No. |  |
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| Examiner | Date Considered |
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